

that its emission levels will be at or below the specified standard throughout the useful life.

(2) In your application for certification for each outboard engine family, identify the part numbers, descriptions, and locations of all the compliant fuel lines. You must include a drawing of any fuel lines in addition to the description if that is necessary for us to find which fuel lines you intend to be certified. Your descriptions must include the lengths of compliant and noncompliant fuel lines for each engine, including aggregated lengths for the whole set of fuel lines used on an engine. If the engine family includes noncompliant fuel lines, you must also include a statement that you will have enough compliant fuel lines to meet the phase-in requirements and provide detailed calculations to support your statement.

(3) Send the Designated Compliance Officer end-of-year reports and final reports after the end of each model year that you use noncompliant fuel lines as described in §1045.730(a). Include the production volumes with a point of retail sale in the United States, as described in §§1045.701(j). State your production volumes in terms of total engine sales by model and in terms of total lengths of compliant and noncompliant fuel lines. If a single engine family includes configurations with different lengths of compliant or noncompliant fuel lines, count each configuration separately. If you changed your designs during the model year in a way that affects these compliance calculations, identify the actual production volumes associated with each unique design.

(4) Keep a copy of the reports we require in this paragraph (k) until December 31, 2022 as described in §1045.735(b). We may require you to keep additional records or to send us relevant information not required by this paragraph (k), as allowed under the Clean Air Act.

(5) Label your compliant low-permeation fuel lines as specified in §1060.137. Any fuel line observed without a complete identification as specified in §1060.137 will be considered noncompliant. In addition, for each model year in which you use noncompliant fuel lines,

you must include one of the following statements on the engine label described in §1045.135:

(i) “LOW-PERM/HIGH-PERM = [x/y]”, where x is the percentage of low-permeation under-cowl fuel line and y is the percentage of high-permeation under-cowl fuel line (x and y must sum to 100).

(ii) “LOW-PERM = [x mm]; HIGH-PERM = [y mm]”, where x is the length of low-permeation under-cowl fuel line and y is the length of high-permeation under-cowl fuel line, in mm.

(1) [Reserved]

(m) *Delayed labeling for fuel lines.* You may omit fuel-line labeling requirements specified in 40 CFR part 1060 in the 2009 model year.

(n) *Continued use of 40 CFR part 91 test procedures.* You may continue to use the test procedures in 40 CFR part 91 instead of those in subpart F of this part for 2010 through 2012 model year outboard and personal watercraft engines. This applies for certification, production-line, and in-use testing. You may continue to use test data based on the test procedures in 40 CFR part 91 for engine families in 2013 and later model years, provided that we allow you to use carryover emission data under 40 CFR 1045.235(d) for your engine family. You may also use the test procedures in 40 CFR part 91 for production-line testing with any engine family whose certification is based on testing with those procedures.

(o) *Banking early credits for jet boat engines.* Banked emission credits that were originally generated from outboard and personal watercraft engines under 40 CFR part 91 may be used to certify jet boat engines under the provisions §1045.660.

[73 FR 59194, Oct. 8, 2008, as amended at 75 FR 23019, Apr. 30, 2010; 75 FR 68462, Nov. 8, 2010]

Subpart C—Certifying Engine Families

§1045.201 What are the general requirements for obtaining a certificate of conformity?

Engine manufacturers must certify their engines with respect to the exhaust emission standards in this part. Manufacturers of engines, equipment, or fuel-system components may need

to certify their products with respect to evaporative emission standards as described in 40 CFR 1060.1 and 1060.601. The following general requirements apply for obtaining a certificate of conformity:

(a) You must send us a separate application for a certificate of conformity for each engine family. A certificate of conformity is valid starting with the indicated effective date but it is not valid for any production after December 31 of the model year for which it is issued. No certificate will be issued after December 31 of the model year.

(b) The application must contain all the information required by this part and must not include false or incomplete statements or information (see § 1045.255).

(c) We may ask you to include less information than we specify in this subpart as long as you maintain all the information required by § 1045.250.

(d) You must use good engineering judgment for all decisions related to your application (see 40 CFR 1068.5).

(e) An authorized representative of your company must approve and sign the application.

(f) See § 1045.255 for provisions describing how we will process your application.

(g) We may require you to deliver your test engines to a facility we designate for our testing (see § 1045.235(c)).

(h) For engines that become new after being placed into service, such as engines installed on imported vessels or engines converted to run on a different fuel, we may specify alternate certification provisions consistent with the intent of this part. See § 1045.645 and the definition of “new propulsion marine engine” in § 1045.801.

[73 FR 59194, Oct. 8, 2008, as amended at 75 FR 23019, Apr. 30, 2010]

§ 1045.205 What must I include in my application?

This section specifies the information that must be in your application, unless we ask you to include less information under § 1045.201(c). We may require you to provide additional information to evaluate your application.

(a) Describe the engine family’s specifications and other basic parameters

of the engine’s design and emission controls. List the fuel type on which your engines are designed to operate (for example, all-season gasoline). List each distinguishable engine configuration in the engine family. For each engine configuration, list the maximum engine power and the range of values for maximum engine power resulting from production tolerances, as described in § 1045.140. Describe why your engines qualify as high-performance engines, if applicable.

(b) Explain how the emission control systems operate. Describe in detail all system components for controlling exhaust emissions, including all auxiliary emission control devices (AECs) and all fuel-system components you will install on any production or test engine. Identify the part number of each component you describe. For this paragraph (b), treat as separate AECs any devices that modulate or activate differently from each other. Include sufficient detail to allow us to evaluate whether the AECs are consistent with the defeat device prohibition of § 1045.115.

(c) Explain how the engine diagnostic system works, if applicable, describing especially the engine conditions (with the corresponding diagnostic trouble codes) that cause the malfunction indicator to go on. Propose the conditions under which the diagnostic system should disregard trouble codes, as described in § 1045.110(f).

(d) Describe the engines you selected for testing and the reasons for selecting them.

(e) Describe the test equipment and procedures that you used, including any special or alternate test procedures you used.

(f) Describe how you operated the emission-data engine before testing, including the duty cycle and the number of engine operating hours used to stabilize emission levels. Explain why you selected the method of service accumulation. Describe any scheduled maintenance you did.

(g) List the specifications of the test fuel to show that it falls within the required ranges we specify in 40 CFR part 1065.

(h) Identify the engine family’s useful life.